

02-26-02

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February 25, 2002

Attorney Docket No.: 01568-008003

**Box Patent Application**  
Commissioner for Patents  
Washington, DC 20231

Presented for filing is a new divisional patent application of:

Applicant: MARK W. MILES

Title: VISIBLE SPECTRUM MODULATOR ARRAYS

BOSTON  
DALLAS  
DELAWARE  
NEW YORK  
SAN DIEGO  
SILICON VALLEY  
TWIN CITIES  
WASHINGTON, DC



The prior application is assigned of record to Etalon, Inc., a MA corporation, by virtue of an assignment submitted to the Patent and Trademark Office and recorded on March 21, 1997 at 8411/0680.

Enclosed are the following papers, including those required to receive a filing date under 37 CFR §1.53(b):

	<u>Pages</u>
Specification	49
Claims	7
Abstract	1
Declaration	2
Drawing(s)	36

Enclosures:

- Forms PTO-1449 (9 pages) and PTO-892 (2 pages) listing documents cited in the parent application(s). Please confirm that these have been considered in this application by returning a copy of the Forms PTO-1449 and PTO-892 with the examiner's initials.

## CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EL932078156US

I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

February 25, 2002

Signature

Leroy Jenkins

Typed or Printed Name of Person Signing Certificate



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- Preliminary amendment, 4 pages.
- Small entity statement (1 page). This application is entitled to small entity status.
- Copy of Petition for Extension of Time in U.S. application serial no. 09/378,143.
- Postcard.

This application is a divisional (and claims the benefit of priority under 35 USC §120) of U.S. application serial no. 09/378,143, filed August 20, 1999, which is a continuation application of U.S. Serial No. 08/744,253, filed November 5, 1996, now issued as U.S. Patent No. 5,986,796, which is a continuation of an International application PCT/US95/05358, with an international filing date of May 1, 1995. The disclosure of the prior application is considered part of (and is incorporated by reference in) the disclosure of this application.

Basic filing fee	\$370
Total claims in excess of 20 times \$9	\$351
Independent claims in excess of 3 times \$42	\$126
Fee for multiple dependent claims	\$0
Total filing fee:	\$847

A check for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (617) 542-5070.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please send all correspondence to:

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Respectfully submitted,



David L. Feigenbaum  
Reg. No. 30,378